REMARKS

Claims 1-32 are pending in this application. By this Amendment, claims 6, 7, 26-28 and 30-32 are amended for clarity and for reasons unrelated to issues of patentability.

Applicants gratefully acknowledge the Office Action's indication that claims 15, 16, 18 and 20 contain allowable subject matter. Additionally, dependent claim 19 depends from claim 18 and therefore defines patentable subject matter at least for this reason.

The Office Action rejects claims 1-12 and 21-32 under 35 U.S.C. §102(e) over U.S. Patent 6,631,126 to Berliner et al. (hereinafter "Berliner"). The Office Action also rejects claims 13-14 and 17 under 35 U.S.C. §103(a) over Berliner in view of U.S. Patent Publication No. 2004/0077358 A1 to Bennett et al. (hereinafter "Bennett"). During a May 25, 2005 telephone conference, Examiner Kundu confirmed that the rejection based on Berliner is for claims 1-12 and 21-32. The rejections are respectfully traversed.

Independent claim 1 recites a method of gathering statistical information that includes calculating a holding time for a single call, and calculating a holding time of a soft added call.

Berliner does not teach or suggest all the features of independent claim 1, as well as the other independent claims 12 and 21. The Office Action cites Berliner's column 3, lines 54-60 and column 4, lines 6-17 to show features of <u>calculating</u> a holding time for a single call and <u>calculating</u> a holding time of a soft added call. However, these sections do not relate to any type of calculating as recited in independent claim 1. Berliner mentions a reactivation time period. Berliner further describes (at column 3, lines 66-67) that it is desired to keep the reactivation

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time as low as practical. However, Berliner does not teach or suggest any type of calculating a holding time for a single call or calculating a holding time of a soft added call. Merely because Berliner mentions reactivation time and a desire to reduce this time, this does not teach or suggest the calculating as recited in independent claim 1. Rather, as specifically described in column 4, lines 6-17, Berliner relates to transmitting forward-link data messages. There is no teaching or suggestion for calculating a holding time for a single call and/or calculating a holding time of a soft added call as recited in independent claim 1. Thus, independent claim 1 defines patentable subject matter.

Independent claim 12 defines patentable subject matter for at least similar reasons. That is, independent claim 12 recites <u>calculating</u> a holding time by <u>counting</u> a period of an originated/terminated call, and <u>calculating</u> a handoff holding time by <u>counting</u> a period when soft added calls are set up due to a handoff. For at least similar reasons as set forth above, Berliner does not teach or suggest these features. Additionally, Berliner does not relate to any type of counting.

Still further, independent claim 21 defines patentable subject matter for at least similar reasons. That is, independent claim 21 recites <u>determining</u> a channel resource occupancy for a single call, and <u>determining</u> a channel resource occupancy for a soft added call. For at least similar reasons as set forth above, Berliner does not teach or suggest these features.

Accordingly, each of independent claims 1, 12 and 21 define patentable subject matter. Claims 2-11 depend from claim 1, claims 13-20 depend from claim 12 and claims 22-30 depend

from claim 21 and therefore define patentable subject matter at least for this reason. In addition, the dependent claims also recite features that further and independently distinguish over the applied references. For example, various claims relate to determinations or calculations which are not taught or suggested by Berliner. That is, dependent claim 4 recites determining a holding time based on the calculated holding time of the single call and the calculated holding time of the soft added call. The Office Action does not specifically address this claim. Berliner does not teach or suggest these features.

Furthermore, dependent claim 7 (and similarly dependent claim 27) recites calculating the holding time of the soft added call comprises <u>counting</u> the holding time from a point of time when a channel resource is occupied due to receipt of a call origination/termination request message to a point of time when a soft add notification message is received from another base station after call setup in response to the call origination/termination request message, and <u>counting</u> the holding time from a point of time when the soft drop notification message is received from the another base station to a point of time when the channel resource is withdrawn due to completion of the soft added call. In rejecting these features, the Office Action references Berliner's column 5, lines 55-61; column 6, lines 17-26 and 55-57. However, these sections do not relate to any type of calculating or counting. Thus, claims 7 and 17 define patentable subject matter at least for this reason.

Still further, dependent claims 5, 6, 8- 11, 13, 16-20, 25-27 and 30-32 relate to features regarding calculating the holding time. However, Berliner does not teach or suggest features

relating to calculating the holding time for at least the reasons set forth above. Bennett does not

teach or suggest the missing features. Thus, each of these dependent claims defines patentable

subject matter at least for this reason.

CONCLUSION

In view of the foregoing, it is respectfully submitted that the application is in condition

for allowance. Favorable consideration and prompt allowance of claims 1-32 are earnestly

solicited. If the Examiner believes that any additional changes would place the application in

better condition for allowance, the Examiner is invited to contact the undersigned attorney,

David C. Oren, at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is

hereby made. Please charge any shortage in fees due in connection with the filing of this,

concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and

please credit any excess fees to such deposit account.

Respectfully submitted,
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